

TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ December 10, 2015
Official Minutes

Pursuant to the foregoing notice, a regular meeting of the Haverhill Town Council was held on Thursday, December 10, 2015 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor and Jo Plyler, Council Member and Mark Uptegraph, Council Member. Also present were Town Attorney John Foster, Town Planner Josh Nichols and Town Engineer, Todd McLeod, Town Administrator Janice C. Rutan and Director of Public Services, Joseph Roche.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and asked for a moment of silence in remembrance of fellow colleagues, Council Member Jerry Beavers who passed away November 17, 2015. Mayor Foy then led the Pledge of Allegiance.

ROLL CALL

The Town Administrator recorded all members were present.

COMMENTS FROM THE PUBLIC

Mr. Rochwerger, Mr. Stalf and Ms. Wicklund plan to address the Town Council regarding potential uses (other than SFR) for property located at 5263 Belvedere Road.

Edward Stalf, property owner at 5263 Belvedere Road addressed the Town Council. He introduced Ms. Wicklund and Mr. Rochwerger (Realtor) to the Town Council. He explained they were present to explore alternative uses for his property which is located in the R-1 Residential Zone. He was looking for the most feasible use other than a housing development.

His family has owned the property since 1948 and he himself has lived there for 68 years. He commented that the uses assigned to the property by the Town have become more and more restrictive over the years. (The property has been zoned R-1 since 1948, and assessed as a single family residence). He spoke of plans his family had in the 1960's to build a development community around a lake on the 9.6 acres.

Josh Nichols, Town Planner confirmed that the surrounding properties were also zoned residential.

Mr. Rochwerger then addressed the Town Council. He was hoping the Council would be open minded for flexibility in allowing for increased density on the property. He expressed that perhaps a change in zoning would present an opportunity for the Town. He suggested cluster development, more density, duplexes, etc.

John Foster, Town Attorney addressed those present and gave the history of the Town's decision on the current zoning throughout the Town. He noted that historically and informally, the Town Councils over the course of years had resisted any increased density on properties west of Haverhill along the thoroughfare of Belvedere Road. The Town Council has rejected any liberalization of the present land uses and intends to maintain a low density bedroom community.

Mr. Stalf argued that the property was owned by his family before the Town incorporated and as such believed he had a right to the same land uses at the County. He complained about the

property taxes he was paying on the property, likening the cost to that of a commercial rate of taxes for a residential property.

Vice Mayor Gordon addressed Mr. Stalf et al. He noted that the quality of life for the residents of Haverhill is first and foremost and it is not the responsibility of the Town Council to tell a property owner what they can, and cannot do with their property. Ordinances have been adopted that address permitted uses and he was free to present an application for Town Council consideration.

Mr. Stalf made further accusations regarding crime throughout the Town adding there was often people and voices screaming along Belvedere Road in front of his property. Vice Mayor Gordon noted that he was not aware of such matters, and if such instances were brought to the Council's attention, action would be taken as quality of life within the Town was extremely important.

Discussion followed and because there was not a specific request or application before the Town Council, no action could be taken.

Mayor Foy confirmed that the southeast quadrant of the Town was zoned for higher density and commercial. Any increase in density for the R-1 areas would result in increased traffic and as such, the Town wants that area to remain residential.

Council Member Uptegraph reported that when he ran for election, and confronted the voters, the majority of the residents wanted to maintain a residential quality throughout the Town.

APPROVAL OF AGENDA

The Town Administrator requested the minutes of the October 22, 2015 regular meeting minutes be removed from the Consent Agenda. **A motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the agenda as amended.**

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the September 24, 2015 regular meetings, October 8, 2015 and October 22, 2015 regular meetings.

A motion was made by Council Member Plyler seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the consent agenda as amended.

PROCLAMATIONS AND PRESENTATION

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Detective Bray was present representing the Palm Beach County Sheriff's office. He reported there had been 300 calls for service of which 33 resulted in reports being filed. He noted the majority of the calls were for the 7-11 on Military Trail or were from out of the area.

Council once again expressed their appreciation to the PBSO for working with the Town.

SECOND READINGS AND PUBLIC HEARINGS

None.

REGULAR AGENDA

Todd McLeod, Town Engineer presentation and recommendation regarding proposed drainage improvements to Palmetto Road

Todd McLeod, Town Engineer, addressed the Town Council. He presented the Town Council with a report on the culvert rehabilitation for Palmetto and Pineway Drive. After review of the video of the drainage culverts competed by Technical Inspections, Inc., McLeod, McCarthy and

Associates prepared estimates for both cleaning and lining all of the pipelines, as well as a second estimate for lining only the 2 most urgent repair areas leading to the E-3 canal outfall and a large root blockage halfway between CB2 and CB3 on Palmetto Road (see attached map).

Discussion followed. Mayor Foy expressed his concern over the price of lining and suggested Mr. McLeod look into the cost of replacing the corrugated metal pipe. It was understood that the repairs between houses would most probably have to be done by lining due to the positioning of heavy equipment.

The Town Administrator commented that the Town should look into making the necessary repairs for the long term. She discussed the Council's need to determine the funding whether they borrow the money or phase projects.

It was also noted that the Town, if it should move forward with the reconstruction of the pipes, would be able to piggyback off of already awarded contracts.

It was then agreed to request Todd McLeod, the Town Engineer to prepare an estimate for the replacement of the CMP and present it to Council at their January 5, 2016 workshop.

Approval of Third Amendment to Lease Agreement and Memorandum of third amendment to Lease Agreement between the Town of Haverhill and Crown Castle

Attorney Foster offered Staff's report. He reminded Council that this matter had first come before Council in December of 2014, and after several versions of the lease amendment going back and forth between the parties, the document was now ready for signature. The agreement called for a 25% net rental and a rent guarantee through January 2020.

A motion was then made by Vice Mayor Gordon, seconded by Council member Uptegraph and unanimously passed (4-0) to accept the business terms of the agreement and authorize the Town Attorney, Town Administrator and Mayor to execute accordingly.

Resolution R2015-12, a Resolution of the Town Council of the Town of Haverhill supporting the efforts of neighboring municipalities to proceed with improvements to the chain of lakes, the Ocean to Trails initiative and development of a boat lift at the C51 Canal and S155 Control Structure

The title was read by Attorney Foster. Mayor Foy explained the purpose of the Resolution was to support the efforts of our neighboring municipalities.

A motion was then made by Council Member Plyler, seconded by Council Member Uptegraph and unanimously passed (4-0) to adopt Resolution 2015-12 as presented.

Resolution R2015-13, A Resolution of the Town of Haverhill opposing proposed legislation requiring municipal elections to be held on a certain date as determined by the Supervisor of Elections

The title was read by Attorney Foster. The Town Administrator gave Staff's report.

A motion was then made by Council Member Plyler, seconded by Council Member Uptegraph and unanimously passed (4-0) to adopt Resolution 2015-13 as presented.

Authorize the Mayor and Town Administrator to execute Release of Rights of Entry and Exploration to Liberty Property Limited Partnership

Attorney Foster offered Staff's report. It was explained that this was a housekeeping measure left over from when the Town sold the property known as the Linear Park to Palm Beach County.

A motion was then made by Vice Mayor Gordon, seconded by Council member Plyler and unanimously passed (4-0) to authorize the Mayor and Town Administrator to execute the Release of Rights of Entry and Exploration to Liberty Property Limited Partnership.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported on the status of the annual NPDES reports.

He then reported on the interview he had with FDOT re: the proposed Southern Boulevard (SR 80 from US 27 to I-95) Corridor expansion project. He had expressed his concern that SR 80 is not an arterial road, it serves as an interstate and any expansion of the road would result in more traffic on the collector roads (Haverhill and Belvedere Road).

Town Administrator

The Town Administrator reported there would not be a municipal election in the Town of Haverhill as no one had qualified for either Seat 1 or Seat 2.

The Town Administrator reported that the Town had received an honorable mention for its efforts in the "Read for the Record" and that the Town of Lantana had come in first place representing the smaller municipalities.

The annual picnic was being scheduled for April 2, 2016.

The Town Administrator had attended a meeting at the South Florida fair and would be setting up a booth participating in the showcase of local governments.

Committee/Delegate Report

The Town had helped host a Celebration of Life the previous day in memory of Council Member Jerry Beavers. It was a well-attended affair with many sharing their personal stories and memories of Council member Beavers.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Mayor Foy asked all Council Members to submit a name for consideration in the appointment to fill the unexpired term of Seat 1 held by Council Member Jerry Beavers.


NEW BUSINESS

None.

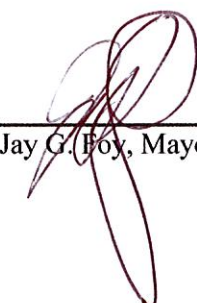
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:20 p.m.

Approve: January 28, 2016



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor